

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Jim Treffinger for Senate, Inc., and)
Robert A. Mathers, as Treasurer;)
Jay Hochberg (MUR))

RAD REFERRAL 03L-02 and MUR 5388

MUR # 5463

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on June 08, 2004, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in RAD Referral 03L-02 and MUR 5388:

1. Open a MUR for RAD Referral 03L-02.
2. Merge the MUR created for RAD Referral 03L-02 into MUR 5388.
3. Find reason to believe that Jim Treffinger for Senate, Inc. and Robert A. Mathers, as treasurer, knowingly and willfully violated 2 U.S.C. § 441a(f).
4. Find reason to believe that Robert A. Mathers, in his personal capacity, knowingly and willfully violated 2 U.S.C. § 441a(f) and 11 CFR § 102.9(e).
5. Find reason to believe that James W. Treffinger, in his personal capacity, knowingly and willfully violated 2 U.S.C. § 441a(f).
6. Take no action and close the file with respect to Jay Hochberg.

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11. Approve the Factual and Legal Analyses, as recommended in the General Counsel's Report dated May 20, 2004; subject to the appropriate revisions.

12. Approve the appropriate Factual and Legal Analysis for James W. Treffinger.

13. Approve the appropriate letters.

Commissioners McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision. Commissioner Mason did not vote.

Attest:

June 9, 2004
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

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